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IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

QUINTIN JEUH CARLOS-BANUELOS,

Defendant.

CASE NO. 1:20-CR-00175-NODJ-BAM

STIPULATION TO CONTINUE CHANGE OF
PLEA HEARING AND ORDER THEREON

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for a change of plea hearing on April 29, 2024, at 8:30 a.m. The defendant now seeks to continue the change of plea hearing to May 7, 2024, at 8:30 a.m. The proposed change of plea date represents the earliest date that the court and all counsel are available, taking into account counsels' schedules, defense counsels' commitments to other clients, and the court's available dates for a change of plea hearing.

2. The parties agree and stipulate, and request that the Court find the following:

a) The discovery associated with this case includes case includes voluminous investigative reports, wire interceptions recordings and electronic messages, precise location information data, and cellular phone downloads, totaling thousands of pages of discovery and several gigabytes of electronic data.

b) Defense counsel requests the additional time to prepare for the change of plea hearing, meet with his client, and review/negotiate the plea agreement. The parties are close to finalizing a plea agreement. Defense counsel has been conducting independent investigation and as a result has requested some revisions to the factual basis for the plea agreement. The government and the defense need the additional time to implement these revisions. In addition, defense counsel needs additional time to meet with his client, who resides out of state.

c) In addition, the Court contacted the parties and asked for the parties to stipulate to the May 7 change of plea hearing date.

d) Counsel for the defendant believes that failure to grant the above-requested continuance would deny him the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

e) The government does not object to the continuance.

f) The defendant is currently out of custody.

g) The parties agree that time should be excluded because failure to grant the requested case schedule would unreasonably deny the defendant continuity of counsel, and unreasonably deny the defendant the reasonable time necessary for effective preparation, taking into account the parties' due diligence in prosecuting this case. 18 U.S.C. Section 3161(h)(7)(B)(iv). Based on the above-stated findings, the ends of justice served by the schedule as requested outweigh the interest of the public and the defendant in a trial within the original date prescribed by the Speedy Trial Act. Therefore, the parties request that the Court exclude the time through the change of plea hearing date on May 7, 2024, from calculations under the Speedy Trial Act.

h) IT IS SO STIPULATED.

Dated: April 16, 2024

PHILLIP A. TALBERT
United States Attorney

By: /s/ JUSTIN J. GILIO
JUSTIN J. GILIO
Assistant United States Attorney

1 Dated: April 16, 2024

2 /s/ Victor Chavez
3 Attorney for Defendant
4 QUINTIN JEUH CARLOS-BANUELOS

5 **ORDER**

6 IT IS SO ORDERED that the change of plea hearing is continued from April 29, 2024, to **May 7,**
7 **2024, at 8:30 a.m. in Courtroom 1 before the District Court Judge.** Time is excluded pursuant to 18
8 U.S.C. § 3161(h)(7)(A), B(iv).

9 IT IS SO ORDERED.

10 Dated: **April 16, 2024**

11 /s/ Barbara A. McAuliffe
12 UNITED STATES MAGISTRATE JUDGE
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